

- (1) Section 1601.260(c);
- (2) Section 1601.261;
- (3) Section 1601.301(c);
- (4) Section 1602.266(c);
- (5) Section 1602.267;
- (6) Section 1602.301(c); and
- (7) Section 1602.456(b-1).

SECTION 16. On the effective date of this Act:

(1) a shampoo apprentice permit issued under former Section 1601.261 or 1602.267, Occupations Code, expires; and

(2) a shampoo specialty certificate issued under Chapter 1602 expires.

SECTION 17. (a) The changes in law made by this Act do not affect the validity of a proceeding pending before a court or other governmental entity on the effective date of this Act.

(b) An offense or other violation of law committed before the effective date of this Act is governed by the law in effect when the offense or violation was committed, and the former law is continued in effect for that purpose. For purposes of this subsection, an offense or violation was committed before the effective date of this Act if any element of the offense or violation occurred before that date.

SECTION 18. This Act takes effect September 1, 2017.

Passed the Senate on April 26, 2017: Yeas 31, Nays 0; the Senate concurred in House amendment on May 26, 2017: Yeas 31, Nays 0; passed the House, with amendment, on May 19, 2017: Yeas 144, Nays 0, two present not voting.

Approved June 15, 2017.

Effective September 1, 2017.

STATE AND REGIONAL WATER PLANNING PROCESS AND THE FUNDING OF PROJECTS INCLUDED IN THE STATE WATER PLAN

CHAPTER 921

S.B. No. 1511

AN ACT

relating to the state and regional water planning process and the funding of projects included in the state water plan.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 15.439(a), Water Code, is amended to read as follows:

(a) The board shall adopt rules providing for the use of money in the fund that are consistent with this subchapter, including rules:

(1) establishing standards for determining whether projects meet the criteria provided by Section 15.434(b); and

(2) specifying the manner for prioritizing projects for purposes of Sections 15.436 and [Section] 15.437.

SECTION 2. Section 16.051(a-1), Water Code, is amended to read as follows:

(a-1) The state water plan must include:

(1) an evaluation of the state's progress in meeting future water needs, including an

evaluation of the extent to which water management strategies and projects implemented after the adoption of the preceding state water plan have affected that progress; ~~and~~

(2) an analysis of the number of projects included in the preceding state water plan that received financial assistance from the board; *and*

(3) *with respect to projects included in the preceding state water plan that were given a high priority by the board for purposes of providing financial assistance under Subchapter G, Chapter 15:*

(A) an assessment of the extent to which the projects were implemented in the decade in which they were needed; and

(B) an analysis of any impediments to the implementation of any projects that were not implemented in the decade in which they were needed.

SECTION 3. Section 16.053(c), Water Code, is amended to read as follows:

(c) No later than 60 days after the designation of the regions under Subsection (b), the board shall designate representatives within each regional water planning area to serve as the initial coordinating body for planning. The initial coordinating body may then designate additional representatives to serve on the regional water planning group. The initial coordinating body shall designate additional representatives if necessary to ensure adequate representation from the interests comprising that region, including the public, counties, municipalities, industries, agricultural interests, environmental interests, small businesses, electric generating utilities, river authorities, water districts, and water utilities. The regional water planning group shall maintain adequate representation from those interests. In addition, the groundwater conservation districts located in each management area, as defined by Section 36.001, located in the regional water planning area shall appoint one representative of a groundwater conservation district located in the management area and in the regional water planning area to serve on the regional water planning group. In addition, representatives of the board, the Parks and Wildlife Department, ~~and~~ the Department of Agriculture, *and the State Soil and Water Conservation Board* shall serve as ex officio members of each regional water planning group.

SECTION 4. Sections 16.053(h)(1), (3), (6), and (10), Water Code, are amended to read as follows:

(1) Prior to the preparation of the regional water plan, the regional water planning group shall, after notice, hold at least one public meeting at some central location *readily accessible to the public* within the regional water planning area to gather suggestions and recommendations from the public as to issues that should be addressed in the plan or provisions that should be considered for inclusion in the plan.

(3) After the regional water plan is initially prepared, the regional water planning group shall, after notice, hold at least one public hearing at some central location *readily accessible to the public* within the regional water planning area. The group shall make copies of the plan available for public inspection at least one month before the hearing by providing a copy of the plan in the county courthouse and at least one public library of each county having land in the region. Notice for the hearing shall include a listing of these and any other location where the plan is available for review.

(6) If an interregional conflict exists, the board shall facilitate coordination between the involved regions to resolve the conflict. If conflict remains, the board shall resolve the conflict. On resolution of the conflict, the involved regional water planning groups shall prepare revisions to their respective plans and hold, after notice, at least one public hearing at some central location *readily accessible to the public* within their respective regional water planning areas. The regional water planning groups shall consider all public and board comments; prepare, revise, and adopt their respective plans; and submit their plans to the board for approval and inclusion in the state water plan.

(10) The regional water planning group may amend the regional water plan after the plan has been approved by the board. *If, after the regional water plan has been ap-*

proved by the board, the plan includes a water management strategy or project that ceases to be feasible, the regional water planning group shall amend the plan to exclude that water management strategy or project and shall consider amending the plan to include a feasible water management strategy or project in order to meet the need that was to be addressed by the infeasible water management strategy or project. For purposes of this subdivision, a water management strategy or project is considered infeasible if the proposed sponsor of the water management strategy or project has not taken an affirmative vote or other action to make expenditures necessary to construct or file applications for permits required in connection with the implementation of the water management strategy or project under federal or state law on a schedule that is consistent with the completion of the implementation of the water management strategy or project by the time the water management strategy or project is projected by the regional water plan or the state water plan to be needed. Subdivisions (1)–(9) apply to an amendment to the plan in the same manner as those subdivisions apply to the plan.

SECTION 5. Sections 16.053(i), (p–1), and (p–2), Water Code, are amended to read as follows:

(i) The regional water planning groups shall submit their adopted regional water plans to the board by January 5, 2001, for approval and inclusion in the state water plan. In conjunction with the submission of regional water plans, each planning group should make legislative recommendations, if any, to facilitate more voluntary water transfers in the region. Subsequent regional water plans shall be submitted at least every five years thereafter, *except that a regional water planning group may elect to implement simplified planning, no more often than every other five-year planning cycle, and in accordance with guidance to be provided by the board, if the group determines that, based on its own initial analyses using updated groundwater and surface water availability information, there are no significant changes to the water availability, water supplies, or water demands in the regional water planning area. At a minimum, simplified planning will require updating groundwater and surface water availability values in the regional water plan, meeting any other new statutory or other planning requirements that come into effect during each five-year planning cycle, and formally adopting and submitting the regional water plan for approval.* Public participation for revised regional plans shall follow the procedures under Subsection (h).

(p–1) If the development board determines that resolution of the conflict requires a revision of an approved regional water plan, the development board shall suspend the approval of that plan and provide information to the regional water planning group. The regional water planning group shall prepare any revisions to its plan specified by the development board and shall hold, after notice, at least one public hearing at some central location *readily accessible to the public* within the regional water planning area. The regional water planning group shall consider all public and development board comments, prepare, revise, and adopt its plan, and submit the revised plan to the development board for approval and inclusion in the state water plan.

(p–2) If the development board determines that resolution of the conflict requires a revision of the district's approved groundwater conservation district management plan, the development board shall provide information to the district. The groundwater district shall prepare any revisions to its plan based on the information provided by the development board and shall hold, after notice, at least one public hearing at some central location *readily accessible to the public* within the district. The groundwater district shall consider all public and development board comments, prepare, revise, and adopt its plan, and submit the revised plan to the development board.

SECTION 6. This Act takes effect September 1, 2017.

Passed the Senate on April 19, 2017: Yeas 31, Nays 0; May 25, 2017, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 26, 2017, House granted request of the Senate; May 28, 2017, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0; passed the House, with amendments, on May 24, 2017: Yeas 144, Nays 3, one present not voting; May 26, 2017, House granted request of the Senate for appoint-

ment of Conference Committee; May 28, 2017, House adopted Conference Committee Report by the following vote: Yeas 146, Nays 0, two present not voting.

Approved June 15, 2017.

Effective September 1, 2017.

COMPOSITION OF THE AVIATION ADVISORY COMMITTEE

CHAPTER 922

S.B. No. 1522

AN ACT

relating to the composition of the aviation advisory committee.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Sections 21.003(a) and (b), Transportation Code, are amended to read as follows:

(a) The aviation advisory committee consists of ~~six~~ members appointed by the commission to advise the commission and the department on aviation matters. *The commission by rule shall determine the number of members of the committee.*

(b) A majority of the members of the committee ~~member~~ must have five years of successful experience as:

- (1) an aircraft pilot;
- (2) an aircraft facilities manager; or
- (3) a fixed-base operator.

SECTION 2. Not later than September 1, 2018, the Texas Transportation Commission shall adopt the rules required by Section 21.003(a), Transportation Code, as amended by this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed the Senate on April 19, 2017: Yeas 31, Nays 0; passed the House on May 24, 2017: Yeas 146, Nays 0, two present not voting.

Approved June 15, 2017.

Effective June 15, 2017.

PERMISSIBLE USES OF THE FLOODPLAIN MANAGEMENT ACCOUNT

CHAPTER 923

S.B. No. 1538

AN ACT

relating to the permissible uses of the floodplain management account.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 16.3161(c), Water Code, is amended to read as follows:

(c) The board may use the account to fund the performance of:

- (1) the board's functions under Section 16.316; or